

REMARKS

By this amendment, claims 1-40 are pending, in which no claims are canceled, withdrawn from consideration, currently amended, or newly presented.

Given the lengthy prosecution history in this application, in which prosecution was reopened after submission of the Appeal Brief dated Feb. 13, 2007, Applicants respectfully request that the Examiner confer more extensively with his supervisor, SPE Saleh Najjar, to advance this case, as the Examiner still fails to appreciate the merits of the claimed invention.

The final Office Action mailed August 29, 2007 rejected claims 1-4, 7-9, 12, 13, 17, 20-24, 27, 28, 31, 32, 36, 39, and 40 under 35 U.S.C. § 102(e) as anticipated by *Albert et al.* (US 6,606,316), claims 5 and 25 as obvious under 35 U.S.C. § 103 based on *Albert et al.* (US 6,606,316) in view of *Haas* (US 5,115,432), claims 16, 18, 35, and 37 as obvious under 35 U.S.C. § 103 based on *Albert et al.* (US 6,606,316) in view of *Feldman et al.* (US 6,055,561), claims 19 and 38 as obvious under 35 U.S.C. § 103 based on *Albert et al.* (US 6,606,316) in view of *Grant et al.* (US 5,027,269), claims 10, 11, 29, and 30 as obvious under 35 U.S.C. § 103 based on *Albert et al.* (US 6,606,316) in view of *Gai et al.* (US 6,651,096), and claims 6, 14, 15, 26, 33, and 34 as obvious under 35 U.S.C. § 103 based on *Albert et al.* (US 6,606,316) in view of *Gibson et al.* (US 6,680,943).

Since the grounds of rejection against the claims remain the same in the Final Office Action of August 29, 2007 as they were in the Office Action of July 11, 2007, Applicants rely on the arguments presented in the response of August 17, 2007 and incorporate by reference those arguments herein. Additionally, Applicants present the following additional comments directed to the Examiner's response at pages 11-12 of the Final Office Action of August 29, 2007.

The Examiner refers to Fig. 2A of *Albert et al.*, equating the service manager (241, 242) to the claimed "external processor" and the forwarding agent (231, 232) to the claimed

programmable access device (PAD). Also, the Examiner refers to col. 6, lines 44-53, of *Albert et al.*, interpreting the recitation of packet processing including “simply routing the packet” or “sending the packet to a service manager” as communicating a “first subset” of packets (received messages) from the PAD to the external processor (i.e., some packets received from the forwarding agent are sent to the service manager) and routing a “second subset” of packets (received messages) not communicated to the external processor (service manager) **from the network access system via a second network interface different from the first network interface to a second network external to the network access system, wherein the second network is different from the first network**” (emphasis added).

Even assuming, *arguendo*, the Examiner’s interpretation regarding the first and second “subsets” is reasonable, and a first subset of packets is communicated from forwarding agent 231 to service manager 241, and that a second subset of packets not communicated to the service manager 241 is routed to the group of servers 220, this is **not** routing the second subset of packets **from the network access system via a second network interface different from the first network interface to a second network external to the network access system, wherein the second network is different from the first network**, as recited by independent claim 1. Independent claims 21 and 40 contain similar features. The group of servers 220 in *Albert et al.* is in the **same** network as the forwarding agents 231 and 232, and service managers 241 and 242. Therefore, when the second subset of packets is routed from, say, forwarding agent 1, to a server in the server group 220, the packets are not being routed **to a second network external to the network access system, wherein the second network is different from the first network**.

Accordingly, *Albert et al.* does not anticipate instant claims 1-4, 7-9, 12, 13, 17, 20-24, 27, 28, 31, 32, 36, 39, and 40. Therefore, the Examiner is respectfully requested to withdraw the rejection of these claims under 35 U.S.C. § 102(e).


Since none of the other applied references provides for the deficiencies of *Albert et al.*, there is also no *prima facie* case of obviousness established under 35 U.S.C. § 103 and the Examiner is therefore also respectfully requested to withdraw the rejection of claims 5, 6, 10, 11, 14-16, 18, 19, 25, 26, 29, 30, 33-35, 37, and 38 under 35 U.S.C. § 103.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9952 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date


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